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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/227,568	01/08/1999	PAUL ENGLAND	777.211US1	8042

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EXAMINER

JACK, TODD M

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 12/04/2001

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/227,568

Applicant(s)

England et al.

Examiner

Todd Jack

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 8, 1999
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-22 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5, 13, 14, 23, and 24 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 6-12, and 15-17 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 5
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☒ Other: office action

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DETAILED ACTION

Claim Objections

1. Claims 3-4, 6-12, and 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3-4 and 6-12 are dependent on the rejected independent claim 1. Claims 15-17 are dependent on the rejected independent claim 14.

Allowable Subject Matter

2. Claims 18-22 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The applicant teaches the use of a seed value in a computer system for the creation of a storage key which is used for encrypting download content. The prior arts of record taken singly or in combination fail to teach that feature. Herbert (5,757,919) teaches the generation of a key by producing random bits, then used on software being installed (col. 4, lines 7-42). Herbert does not teach the use of a seed to generate the key. Thus, the examiner favors the allowance of these independent claims and any claims depending on them. Claims 18-22 are therefore allowed.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-2, 5, 13-14, and 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Herbert.

Claim 1: Herbert (5,757,919) teaches a computerized method for key-based secure storage (col. 2, lines 54-67) comprising: downloading content and an access predicate that specifies requirements for an application to access the content (col. 2, lines 54-63), obtaining a storage key (col. 3, lines 1-2), encrypting the content using the storage key (col. 2, lines 63-68), and associating the access predicate with the encrypted content (col. 6, lines 43-52).

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Claim 2: Herbert teaches claim 1. Further, Herbert teaches decrypting the content for access by an application only if the application meets the requirements specified in the access predicate (col. 7, lines 5-22).

Claim 5: Herbert teaches claim 1. Further, Herbert teaches obtaining an operating system storage key (col. 3, lines 1-2) and encrypting the access predicate with the operating system storage key (col. 6, lines 45-52).

Claim 13: Herbert teaches claim 1. Further, Herbert teaches the elements are performed in the order recited (Fig. 3, # 120-132).

Claim 14: Herbert teaches a processing unit (col. 2, lines 39-41), a system memory coupled to the processing unit through a system bus (col. 2, lines 39-43), a computer-readable medium coupled to the processing unit through a system bus (col. 2, lines 43-45), and generate key function executed from the computer-readable medium by the processing unit, wherein the generate key function causes the processing unit to generate an operating system storage key based on an identity for the operating system (col. 3, lines 2-8).

Claim 23: Herbert teaches a computer-readable medium having computer-executable instructions stored thereon to cause a server computer to perform a method (col. 2, lines 39-53), entering into

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a secure connection with a client computer (col. 2, lines 43-45), obtaining a session key specific to the secure connection (col. 3, lines 1-2), encrypting data with the session key (col. 2, lines 63-68), and downloading the encrypted data to the client computer (col. 2, lines 54-63).

Claim 24: Herbert teaches a computer-readable medium having computer-executable instructions stored thereon to cause a client computer to perform a method comprising (col. 2, lines 39-53), entering into a secure connection with a server computer (col. 2, lines 43-45), obtaining a session key specific to the secure connection (col. 3, lines 1-2), receiving data encrypted with the session key from the server computer (col. 2, lines 54-67), storing the encrypted data on a persistent storage (col. 2, lines 45-49), and securing the session key with a storage key (col. 2, lines 63-68).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Jack whose telephone number is (703) 305-1027. The examiner can normally be reached on M-Th from 8:00 to 6:00. The examiner can also be reached on alternate .

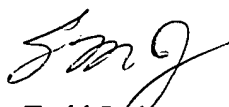
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady, can be reached on (703) 305-9595. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-0040.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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Todd Jack

November 27, 2001



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